

DAVIS LEVIN LIVINGSTON GRANDE

MARK S. DAVIS 1442-0
THOMAS R. GRANDE 3954-0
MICHAEL K. LIVINGSTON 4161-0
851 Fort Street, 4th Floor
Honolulu, Hawai'i 96813
Telephone: (808) 524-7500
Facsimile: (808) 545-7802
E-Mail: tgrande@davislevin.com

ORIGINAL

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

SEP 14 2005

at 3 o'clock and 20 min. PM
SUE BEITIA, CLERK

CRONIN, FRIED, SEKIYA, KEKINA & FAIRBANKS

L. RICHARD FRIED, JR. 0764-0
BERT S. SAKUDA 2535-0
HOWARD G. McPHERSON 5582-0
GEOFFREY K. S. KOMEYA 6056-0
841 Bishop Street, Suite 600
Honolulu, Hawai'i 96813
Telephone: (808) 524-1433
Facsimile: (808) 536-2073
E-Mail: cfskf@croninfried.com

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

AE Ventures for Archie Murakami;
AE Ventures for Elbert T. Saito; Eric G.
Bollinger, Trustee of the P & R
Irrevocable Trust dated 9/13/94; Irene M.
Chinen (for Roy M. Chinen);
Edward Y.C. Chun, Trustee of the
Donald Kim Irrevocable Trust;
Edward Y.C. Chun, Trustee of the
Keneze Kim Irrevocable Trust;
Commercial Sheetmetal Co., Inc., for
Elbert T. Saito; Leticia A. Cuadro;
Linda A. Cuppett; James N. Duca;
Jack R. Dugied; John M. Enomoto; First
Hawaiian Bank, Assignee for Valentine
Peroff, Jr.; Kenneth T. Hashimoto;
Roger M. Higa, Co-Trustee of the
Charles A. Higa and Helen K. Higa

CASE NO. 6 V 05-00594 SOMKSC
(Insurance) ✓

**COMPLAINT; DEMAND FOR
JURY TRIAL; SUMMONS**

Irrevocable Trust (for Charles A. Higa);
 Wayne H. Ichimura; Wayne M.
 Ichimura, Trustee of the Denise A.
 Higa-Ichimura Trust; Rory T. Itano;
 Beverly C. Kahahane; Kessner Duca
 Umebayashi Bain & Matsunaga for Elton
 John Bain; Kessner Duca Umebayashi
 Bain & Matsunaga for James N. Duca;
 Kessner Duca Umebayashi Bain &
 Matsunaga for Robert C. Kessner;
 Kessner Duca Umebayashi Bain &
 Matsunaga for Emma S. Matsunaga;
 Kessner Duca Umebayashi Bain &
 Matsunaga for Clyde Umebayashi;
 James S. Kimura, Trustee of the
 Gilbert J. Matsumoto Irrevocable Trust
 Dated June 19, 1991; D. Kimo Kippen;
 John T. Komeiji; Wray H. Kondo;
 Dorota Kowalska; Edward M. Kuba;
 Franklin T. Kudo, Trustee of the
 Benjamin Asa Kudo Irrevocable Trust;
 Neal K. Kunimura; Wayne T. Kunimura;
 Jeffrey P.S. Kunishige; Jo-Ann M.I.
 Kunishige; Debbie A. Kuroiwa; Earl K.
 Kuroiwa; Joyce A. Lee, Co-Trustee of
 the Charles A. Higa and Helen K. Higa
 Irrevocable Trust (for Charles A. Higa);
 Dylan Leong; John A. Lockwood;
 Colleen K. Martin, Trustee of the
 Wayne H. Takamori Irrevocable Life
 Insurance Trust; Ernest M. Matsukawa
 (for Grace T. Matsukawa); Wayne T.
 Matsukawa; Wayne T. Matsukawa (for
 Grace T. Matsukawa); Emma S.
 Matsunaga; Carol K.N. Matsunaga,
 Trustee of the Albert Y. Kanno
 Irrevocable Trust; William N.
 Naganuma, Co-Trustee of the Shigeko
 Hata Irrevocable Trust; Stanley Y.
 Nakahara, Co-Trustee of the Shigeko

Hata Irrevocable Trust; Dean S. Nakama;
 Allan S. Nakasone; Norman's Fender
 Shop, Inc. for Eileen H. Azama;
 Norman's Fender Shop, Inc. for
 Norman K. Azama; Michael T. Okada,
 Trustee of the Alton K. Fujii Irrevocable
 Trust; Michael T. Okada, Trustee of the
 Sandra M. Fujii Irrevocable Trust;
 Debra Y.K. Oxley; Puna Plantation
 Hawaii, Ltd., dba KTA Super Stores, for
 Craig T. Hamamoto; Puna Plantation
 Hawaii, Ltd., dba KTA Super Stores, for
 Derek Kurisu; Puna Plantation Hawaii,
 Ltd., dba KTA Super Stores, for Barry K.
 Taniguchi; Shaunagh G. Robbins (for
 Kenneth Robbins); Crystal K. Rose;
 Safety Systems Hawaii, Inc. for
 Albert Y. Kanno; Elizabeth T. Shelton
 (for Kirk Tyler Shelton); James S. Stone,
 Trustee of the Justin J. Isobe Irrevocable
 Trust (for John L. Reed); Karen M.N.
 Suwa, Trustee of the Nira K.C. Kurihara
 Irrevocable Trust; Avis T.W. Takamatsu;
 Robert T. Takamatsu; Owen R.
 Takemoto; The Consolidated Corp. for
 Paul D. Sperry; The Consolidated Corp.
 for Peter D. Sperry; Elizabeth K. Towill
 (for Richard M. Towill); Richard S.
 Towill; Richard S. Towill (for
 Richard M. Towill); Kelvin I. Uto;
 Howard E. Uyehara; Varsity Motors,
 Ltd. for Robert S. Taga; Richard C.
 Wagner; Vern T. Yamauchi; Jeffrey J.
 Yee; Inocencio L. Abbatuan; Alfonso B.
 Acosta; Josanne L.K. Acosta; Helen Y.
 Akashi; Helen Y. Akashi (for Agnes S.
 Miura); Karen M. Alba; Ronald Alba;
 Ernest W. Albrecht; Kimberly R. Allen;
 Anbe, Aruga & Ishizu, Architects, Inc.
 for Mitsugi Aruga; Anbe, Aruga &

Ishizu, Architects, Inc. for Hachiro
 Ishizu; Harold H. Arakawa; Harold H.
 Arakawa (for Earl N. Arakawa);
 Vivian M. Arakawa; Barbara Ann Asato;
 Clyde S. Asato; Glenn S. Asato; Jean S.
 Atsumi; Caroline E. Aylward; Henry W.
 Aylward; Jo Ann S. Baidack; Leslie T.
 Baker; Nathaniel W. Baker; Bank of
 Hawaii, formerly dba Pacific Century
 Trust, Trustee of the Frances M. Yamaki
 Irrevocable Trust; Bank of Hawaii,
 formerly dba Pacific Century Trust,
 Trustee of the Roy T. Yamaki
 Irrevocable Trust; Jill E. Baptist;
 Lucia P. Batoon; Lynette Becker;
 Richard Bell; Justino Bermodez;
 Myong S. Bermodez; Floyd F. Bock, Jr.;
 Patti Jo K.H. Bock; Melinda R.
 Bollinger; Karen Britos; Linda L. Caires;
 Frederick E. Calleon; Frederick E.
 Calleon (for Kevin M. Calleon);
 Frederick E. Calleon (for Ryan K.
 Calleon); Mark D. Campbell;
 Thelma T.C. Chang; Wah Chiu Chang,
 Trustee of the Wah Chiu Chang
 Revocable Living Trust; Wah Chiu
 Chang, Trustee of the Wah Chiu Chang
 Revocable Living Trust (for Annie K.S.
 Chang); Cheryl K. Chinen; Dean K.
 Chinen; Keith M. Chinen; Ann S. Ching;
 Wilfred C.Y. Chock; Roberta Y.L.
 Chong Kee; Joanne S. ChongKee;
 Joanne S. ChongKee (for Craig
 ChongKee); Patrick H. ChongKee;
 Arthur A.H. Chow; Joy M. Chow;
 Christl Coleman; Violet H. Cook;
 Violet H. Cook (for Valta A. Cook);
 Theresa J. Cordi; Craig W. Cossey;
 Leslene Y. Cruz; Zita C. Cruz-Bristol;
 Dennis R. Cuizon; Jeffrey R. Cuppett;

Linda S. Daida; Francis D. Daquiaoag, Jr.;
 Duane Delos Santos; Christie L. Doucet;
 Russell J. Doucet; Vilma K.Y. Dung;
 Wallace S.H. Dung; Alvin H. Ebisuya;
 Alvin H. Ebisuya (for Brant Ebisuya);
 Engineering Concepts, Inc. for
 Kenneth T. Ishizaki; Engineering
 Concepts, Inc. for Kay Muranaka;
 Engineering Concepts, Inc. for
 Barbara S. Sasaki; Damiana F.I. Espiritu;
 FCH Enterprises, Inc., Trustee of the
 Zippy's, Inc. Profit Sharing Plan for
 Miles M. Furuta; FCH Enterprises, Inc.,
 Trustee of the Zippy's, Inc. Profit
 Sharing Plan for Barney S. Higa; FCH
 Enterprises, Inc., Trustee of the Zippy's,
 Inc. Profit Sharing Plan for Charles A.
 Higa; FCH Enterprises, Inc., Trustee of
 the Zippy's, Inc. Profit Sharing Plan for
 Tredious H. Kusaka; Kathleen Figueira;
 Russell Figueiroa; Ruth S. Fong; Paul D.
 Fowler; Allen H. Fujii; Jay S. Fujii;
 Francene Y. Fujioka; Francis S. Fujioka;
 Stanley M. Fujisaka; Roy K. Fujishige;
 Roy K. Fujishige (for Karen M.
 Fujishige); Stephanie M. Fukuoka;
 Steven H. Fukuoka (for Criss H.
 Fukuoka); Steven H. Fukuoka (for
 Joey Y.L. Fukuoka); Patsy M.
 Fukushima; Vic R. Garcia; Sachiko
 Gardner; Toshiko Garrett; Toshiko
 Garrett (for Albert K. Nakamoto);
 Claire C. Gibo; Nora Ginoza; Stacey Y.
 Ginoza, Trustee for Stanley Ginoza;
 Marie A. Gonsalves; Marie A. Gonsalves
 (for David Gonsalves); Marie A.
 Gonsalves (for Gary K. Gonsalves);
 Roy D. Gonsalves; Mildred D. Goo;
 Sharon M. Goo; Roberta N.
 Goya-Oshiro; Grace's Drive Inn, Inc. for

Takashi Kiyozuka; Grace's Drive Inn,
 Inc. for Yoko Kiyozuka; Terry T. Green;
 Felipe S. Guerrero; Susan S. Hagiwara;
 Gerald N. Hamada; Karen H. Hamada;
 Michael L. Hamada; Eleanor T. Handa;
 Eleanor T. Handa (for Rae M.
 McAllister); Robert J. Handa; Harlan F.
 Harada; Pamela M.H. Harada;
 Richard A. Hargrave; April Hasegawa
 (for Kyle Hasegawa); April Hasegawa
 (for Ronald M. Hasegawa); April
 Hasegawa (for Wade Hasegawa);
 Ronald M. Hasegawa; Wes E.
 Hashimoto; Carl K. Hatayama; Calvin K.
 Hayashi; Mark S. Hayashi; Audrey T.
 Hedani; Jan T. Hedani; Charles K.
 Hekekia; Charles K. Hekekia (for
 Chad K. Hekekia); Charles K. Hekekia
 (for Chaney K. Hekekia); Charles K.
 Hekekia (for Chauncy K. Hekekia);
 Charles K. Hekekia (for Chris K.
 Hekekia); Chazz K. Hekekia;
 Pualeinani K. Hekekia; Joleen T. Higa;
 Terry T. Higa; Terry T. Higa (for Lee Y.
 Higa); Terry T. Higa (for Ty T. Higa);
 Sadako Higashi; Takeshi Higashi;
 Vincent S. Higashi; Joan H. Higuchi;
 Charles C. Hill; Faye M. Hinochi; Eric
 Hinokawa; Mercedes Hinokawa;
 Howard K. Hirata (for Ayame Hirata);
 JoAnn M. Hirata; Patricia R. Hirata;
 Patricia R. Hirata (for Ayame Hirata);
 Ronald Y. Hirata; Roy A. Hirata; Roy A.
 Hirata (for Kavin I. Hirata); Janet S.
 Hirata-Pentz (for Ayame Hirata);
 Magdalene K. Ho; Owen M. Ho;
 Corinne O. Hoffler-Omura; Hazel H.
 Hoke; Roy S. Honda; Todd M. Horita,
 Trustee of the Marian M. Horita
 Irrevocable Trust; Horwath Kam &

Company for Amelia L. Kam; Horwath
 Kam & Company for Howard K. Kam,
 Jr.; Horwath Kam & Company for
 Susan E. Mita; Arlene P. Hue; Richard
 Hue; Richard Hue (for Keith Hue);
 Richard Hue (for Kevin Hue); Richard
 Hue (for Kurt Hue); Faye T. Ichimura;
 Wayne M. Ichimura; Tsutomu Ihara;
 Betty K. Ikeda; Dana W. Ikuta;
 Wendell Y. Ikuta; Anden D.U. Imamura;
 Ann K. Imamura; DeAnne K.M.
 Imamura; Dena L. Imamura; Dennis O.
 Imamura; Alexander L. In; Arthur K.
 Inada; Craig K. Inouye; Keiji Inuo;
 Masako Inuo; Kaoru Isagawa; Stanley N.
 Ishida; Steven K. Ishihara; Corlis O.
 Ishikawa; Taeko Ishikawa; Terrence T.
 Ishikawa; Alan I. Itsuno; Kenneth T.
 Iwai; Gloria L. Iwamoto; Mieko
 Iwamoto; Richard E. Iwasaki; Sue H.
 Iwasaki; Ritsuko Kaai; Patricia A.
 Kadokawa; Lea M. Kagawa; Lea M.
 Kagawa (for Agnes S. Miura); Kailua
 Land Company for Grace N. Maruyama;
 Clara M.H. Kajiwara; Jesse I. Kajiwara;
 Susan T. Kajiwara; Susan T. Kajiwara
 (for Jodi S. Kajiwara); Gregg K.
 Kakesako; Leatrice T. Kakesako;
 Arline S. Kakimoto; Raymond Y.
 Kakimoto; Kenneth J. Kaku;
 Henley K.H. Kam; Lynn M. Kam;
 Kenneth A. Kamakura, Trustee of the
 Aileen A. Kamakura Trust; Dwight K.
 Kamidoi; Burt S. Kamigaki; Burt S.
 Kamigaki (for Corrie F. Kamigaki);
 Burt S. Kamigaki (for Erin K.
 Kamigaki); Burt S. Kamigaki (for
 Kellie S. Kamigaki); Gail M. Kamitaki;
 Guy K. Kamitaki; Lyle S. Kanemaru;
 Clara A. Kanno; Andrew M. Kasaoka;

Andrew M. Kasaoka (for Kelly T. Kasaoka); Andrew M. Kasaoka (for Trent M. Kasaoka); Harold T. Kasaoka; June K. Kasaoka; Lorna T. Kasaoka; Earl Kashiwagi; Bernice S. Katada; Dianne N. Katsutani; Glenn A. Katsutani; Bertha K.W. Kau; James A. Kawachika; Amy S. Kawamata; Bert I. Kawamoto; Helen H. Kayahara; Stephen W. Kear; Donna S. Kekina; Donna S. Kekina (for Bryce Kekina); Stanley K. Kekina; Lucille K. Kelley; Shawn A. Keolanui; Martha T. Kersting; Kneil K.J. Kim; Charles G. Kimura; Judith M. Kimura, Trustee of the Irrevocable Life Insurance Trust of Ronald K. Kimura; Kenneth S. Kimura; Ronald K. Kimura (for Ron Y. Kimura); Ronald K. Kimura (for Stan M. Kimura); Ronald K. Kimura (for Salena M. Makia); Ronald K. Kimura (for Dell H. Manini); Ronald K. Kimura (for Melanie M. Martin); Machiko Kinoshita (for Myra Kinoshita); Machiko Kinoshita (for Nobuo Kinoshita); Machiko Kinoshita (for William Kinoshita); Nobuo Kinoshita; Paul T. Kinoshita; Stephanie P. Kinoshita; Colin C. Kippen; Takashi Kiyozuka; Yoko Kiyozuka; Ivan T. Kobayashi (for Davis Kobayashi); Ivan T. Kobayashi (for Vance Kobayashi); Joanne T. Kobayashi; Lynn M. Kobayashi; Lynn M. Kobayashi (for Agnes S. Miura); Michael K. Kobayashi; Owen K. Kobayashi; Audrey M. Koga; Audrey M. Koga (for Marnie Hursty); Malcolm T. Koga, Trustee of the Carol S. Koga Irrevocable Trust; Marvin R. Koga; Sherri H. Koide; Blane H. Kojima; Henry K. Kojima;

Henry K. Kojima (for Evan S. Kojima);
 Terri-Lynn E. Kojima; Russell S.
 Kokubun; Midori M. Kono; Charlotte L.
 Koo; Charlotte L. Koo (for Leianne K.
 Koo Andrade); Charlotte L. Koo (for
 Nicole A. K. Kuamoo); Charlotte L. Koo
 (for Jane T. Suzuki); Kimiko Koyanagi;
 Barbara H. Kuba; Edward M. Kuba;
 Ralph Kuheana; Guy I. Kumashiro;
 Paul T. Kumashiro; Neal K. Kunitake;
 Ethel M. Kunitake; Chester C.
 Kunitake; Gilbert S. Kurata; Lynn
 Kurata; Daniel K. Kurose; Kenneth C.W.
 Kwock; Kenneth C.W. Kwock (for
 Philip G.G. Kwock); Kenneth C.W.
 Kwock (for Stephen G.H. Kwock);
 Queenie W. Kwock; Fotenciana K.J.
 La Benz; William F. Larsen, Jr.;
 Allen M. Lau; Maude Lau; Reid K. Lau;
 Walter T.Y. Lau; Winifred T. Lau;
 Gordon A. Lee; Gordon L. Lee;
 Linda K.L. Lee; Margaret R. Lee;
 Ronald E. Lee; Sue Young Sook Lee;
 Moana G.C.F. Leong; Debra B.J.
 Lew-Wong (for Tiffany M. Wong);
 Debra B.J. Lew-Wong (for Troy T.
 Wong); Debra B.J. Lew-Wong, Trustee
 of the Debra Lew-Wong Revocable
 Living Trust; Teruko Lewin; John W.
 Ling; Joyce C. Ling; Barry R. Lo;
 Gaylene M. Logan; Gaylene M. Logan
 (for Jordan K. Yoneda); Lokahi Pacific,
 Assignee for Sandra Nagano;
 Dennis M.C. Loui; Andrew K.S. Lyum;
 Matthew K.S. Lyum; Nancy K. Lyum;
 Michele T. Ma; Jacqueline M.J.
 Machiguchi-Moro; Donald B.
 MacKintosh II; Lois M. MacKintosh;
 Thomas S. Maeda; Dudley K.
 Makahanaloa; Saburo Makinodan;

Cecilia D. Manungas; Richard R.
 Manungas; Patrice H. Mariucci;
 Colleen K. Martin; Colleen K. Martin,
 Trustee of the Cynthia H. Takamori
 Irrevocable Life Insurance Trust;
 Colleen K. Martin, Trustee of the Wayne
 Takamori Irrevocable Life Insurance
 Trust; Janet C. Martin; Alice F.
 Maruyama; Dickson K. Maruyama,
 Trustee of the Dickson K. Maruyama
 Revocable Living Trust; Henry T.
 Maruyama; Carol M. Masuda; Sharon Y.
 Masuda; Donna K. Masuda-Kam (for
 Kelsey K. Kam); Donna K. Masuda-Kam
 (for Korey Kam); Charlene M.
 Matsumoto; Gilbert J. Matsumoto (for
 Eunice T. Matsumoto); Kenneth M.
 Matsumoto; Scott T. Matsumoto;
 Wayne K. Matsumoto; Jessie H.
 Matsunaga; Darlyn M. Mauricio;
 Darlyn M. Mauricio (for Kiana K.
 Raquino); Darlyn M. Mauricio (for
 Richard W. Raquino); Sandra L.
 McDowell; Seamus McManus; Mega
 Construction, Inc. for Marvin R. Koga;
 Mega Construction, Inc. for Milton M.
 Koga; Mega Construction, Inc. for
 Bert H. Kunihi; Arleen E. Miho;
 Stanley M. Mikami; Gerald W. Miller;
 Kathleen M. Miller; Dale Y. Mitsui;
 Hideaki Mitsui; Michael T. Miyabara;
 Allan S. Miyamoto; Allan S. Miyamoto
 (for Brian Miyamoto); Dianne H.
 Miyamoto; Florence E. Miyasaki;
 Florence E. Miyasaki (for Kenzo
 Miyasaki); Albert T. Miyasato; Laurie K.
 Miyasato; Tiare L. Miyasato; Clifford H.
 Miyashiro; Rex K. Moriguchi; Alan Y.
 Mukai; Etsuko M. Murakami; George Y.
 Murakami; Iris Y.T. Murakami;

Sadie D.M. Murakami (for Eunice T. Matsumoto); Walter J. Murakami; Kenneth M. Muranaka; Allen T. Murayama; Allen T. Murayama (for Stephanie H. Murayama); Carl A. Nacario; Lilian Y. Nagaji; Glenn S. Nagamine; Dorothy S. Naguwa; Toshikatsu Naguwa; Doris I. Nakagawa; James Nakagawa; Walter M. Nakagawa; William O. Nakagawa; Ray T. Nakagawara; Valerie A.I. Nakahara; Stanley S. Nakakura; Masaru Nakama; Sachiko Nakama; Daniel Nakamoto; Larry Nakamoto; Lisa Ann K. Nakamoto; Alan M. Nakamura; Daniel K. Nakamura; Janet M. Nakamura; Judith Y. Nakamura (for Erica S. Nakamura); Judith Y. Nakamura (for Erin E. Nakamura); June C. Nakamura; Noboru Nakamura; Pamela M. Nakamura; Tamae Nakamura; Herbert M. Nakanishi; Evelyn Y. Nakasato; Glenn I. Nakasato; Imelda C. Nakasone; Jane K. Nakasone; Toshiko Nakasone; Toshiko Nakasone (for Kenneth T. Nakasone); Toshiko Nakasone (for Nathan I. Nakasone); Darin J. Nakasu; Clyde T. Nakayama; Judith N. Nakayama; Janet H. Naumu; Janet H. Naumu (for Garrett T. Naumu); Janet H. Naumu (for Tiffany K. Naumu); Janet H. Naumu (for Trisha-Ann K. Naumu); Lloyd T. Nekoba (for Dalene N. Dutertie); Lloyd T. Nekoba (for Devon M.T. Nekoba); Patricia A. Nekoba; Patricia A. Nekoba (for Dalene N. Dutertie); Patricia A. Nekoba (for Devon M.T. Nekoba); Darwin Y. Nikaido; Craig S. Nishida; Raymond M. Nishida; Jason K. Nishigata; Walter S.

Nishigata; Lawrence M. Nishikawa;
 Shirley A. Nishikawa; Howard T.
 Nishimura; Laura M. Nishimura;
 Kenneth A. Nozaki; Kurt T. Nozaki;
 Oahu Painting & Decorating, Inc. for
 Jay S. Fujii; Lily M. Obatake; Paul S.
 Obatake; Sanford M. Oda; Verna S. Oda;
 Bruce K. Ogawa; Earl F. Ohara;
 Darryl H. Okemura; Thomas T.
 Okimoto; Jay J. Omaye; Jeanne S.
 Omaye; Baron M. Omiya; Alice K.
 Omura; Jimmy K. Ong; Barbara Mae
 Ono; Stanley K. Ono; Stanley K. Ono
 (for Mildred S. Ono); David K. Oride;
 Jo Anne Y. Oride; Drezleen Oshiro;
 Ambrocio Pada, Jr.; Danilo L. Pascual;
 Danilo L. Pascual (for Felicidad
 Llacuna); Marguerite K. Paty; Jeanine L.
 Peters-Cossey; Gaudencio A. Ponciano;
 Helen E. Ponciano; Puna Plantation
 Hawaii, Ltd., dba KTA Super Stores for
 Richard Chinen; Puna Plantation Hawaii,
 Ltd., dba KTA Super Stores for Andrew
 Chun; Puna Plantation Hawaii, Ltd., dba
 KTA Super Stores for Sachiko T. Chun;
 Puna Plantation Hawaii, Ltd., dba KTA
 Super Stores for Harold C. Furtado, Jr.;
 Puna Plantation Hawaii, Ltd., dba KTA
 Super Stores for Gerald M. Haraguchi;
 Puna Plantation Hawaii, Ltd., dba KTA
 Super Stores for Keith T. Hayama; Puna
 Plantation Hawaii, Ltd., dba KTA Super
 Stores for Sayoko Kawasaki; Puna
 Plantation Hawaii, Ltd., dba KTA Super
 Stores for Glenn M. Kodama; Puna
 Plantation Hawaii, Ltd., dba KTA Super
 Stores for Colin Miura; Puna Plantation
 Hawaii, Ltd., dba KTA Super Stores for
 Melvin T. Morimoto; Puna Plantation
 Hawaii, Ltd., dba KTA Super Stores for

Ronnie K. Sakoda; Puna Plantation Hawaii, Ltd., dba KTA Super Stores for Jon Taniguchi; Puna Plantation Hawaii, Ltd., dba KTA Super Stores for Vanessa M. Unoki; Puna Plantation Hawaii, Ltd., dba KTA Super Stores for Dale E. Waltjen; Raymond N. Rapalee; Francine V. Rapozo; Francine V. Rapozo (for Kyrus Fernandez); Theresa I. Redulla; Timoteo Reyes; Daniel C. Sabido; James T. Saito; Jane H. Saito; Christine S. Sakaguchi; Kenneth T. Sakai; Carl M. Sakamoto; Karen M. Sakamoto; Marc W. Sakamoto; Marc W. Sakamoto (for Lynn N. Sakamoto); Russell M. Sakamoto; Patricia T. Sakuda; Sharon J. Santana; Marie H. Saplan; David H. Sasaki; Sherry C. Sasaki; Sato & Associates, Inc. for Richard M. Sato; Richard M. Sato; Bruce Savage; Colette Savage; Karen S. Sawai; Linda K. Sawai; Sadao Sawai; Denise Seden; Alan T. Sekigawa; Stanley Y. Sekiya; Ok Hui Sellari; Shari Leigh A. Seshiki; Mizuho Shimizu; Shaun A. Shimizu; Chiyono Shimokawa; Takashi Shirai; Sachiko Shiramizu; Doris S. Shiroma; Kris H. Shiroma; Seiko Shiroma; Michael J. Singlehurst; Antony P. Smart; William E. Spencer; Ronald E. Sprink; Thomas M. Suekawa; Thomas M. Suekawa, Trustee of the Glenn Ebisuzaki Trust; Carol S. Sueyoshi; Geraldine J.K. Sugai; Pok Hui Kim Sugita; Walter Y. Sugiura; Amy T. Sumida; Jo-Ann N. Sumida; Stuart T. Suzuki; Sakae C. Tachino (for Shawna Masuda); Terry R. Tadaki; Todd T. Tadaki; Robert S. Taga; Josefina R. Taitaiau; Scott I. Takahashi; Gordon K.

Takaki; Edwin T. Takara; Shinichi Takara; Dana S. Takashima; Rebecca A.W. Takashima; Beverly S. Takemoto; Helen T. Takesue; Jarrod J. Takesue; Harumi Takuma; Russell H. Takuma; Inez S. Takushi; Miles M. Takushi; Wayne J. Tamane; Mineko Tamashiro; Holly K.M. Tamura; Paulette J. Tamura; Clifford T. Tanaka; Henry K. Tancayo, Sr.; Kris Teruya; Edna K. Timario; Lucille T. Togashi; Robert T. Togashi; Sue A. Tokuuke; Wilfred S. Tokuuke; Penelope Tom; Terrance W.H. Tom; Warren I. Tomimoto; Eric H. Tomita; Lori M. Tomita; Ricky N. Tomita; Faith Tomoyasu, Trustee of the Sakae Tachino Trust; Raymond H. Toyama; Ernest H. Tsugawa (for Wendy N. Tsugawa); Rachel T. Tsuneyoshi (for Ralph T. Yamaki); Vincent G. Tsushima, Trustee of the William Torao Tsushima Revocable Trust; Francis A. Uchino; Jayna C. Uyehara; Jolene A. Uyehara Auvil; Lani A. Uyeno; Roylinne F. Wada; Waipahu Hardware & Lumber Supply Co., Ltd. for Atom G. Yamaki; Barbara A. Wakatake; Barbara A. Wakatake (for Clifford K. Wakatake); Dana E. Walters; Jon H. Warashina; Jon H. Warashina (for Tricia M.J.K. Warashina); Richard N. West; Kolleen L. Wheeler; Robert B. Wheeler, aka R. Bruce Wheeler; Kathleen M. I. Whitt; Leonard Kwai Hin Wong, Trustee of the Leonard Kwai Hin Wong Revocable Living Trust Dated 10/6/97; Dale M. Yabiku; Naomi Y. Yabiku; Gail S. Yafuso; Atom G. Yamaki (for Ralph T. Yamaki); Steven S. Yamaki, Trustee of

the Harriet T. Yamaki Irrevocable Life Insurance Trust; Bruce T. Yamamoto; Clyde Yamamoto; Dale Y. Yamamoto; Jan N. Yamamoto, Trustee of the Wesley K. Yamamoto Irrevocable Trust; Jean K. Yamamoto; Wayne T. Yamamoto; Wesley K. Yamamoto, Trustee of the Jan N. Yamamoto Irrevocable Trust; Arnold M. Yamane; Ronald H. Yamane; Ronald H. Yamane (for Karlyn M. Yamane); Ronald H. Yamane (for KOLEEN M. Yamane); Vicki M. Yamane; Nancy A. Yamasaki; Richard Y. Yamasaki; Gladys S. Yamashiro; Herbert Y. Yamashiro; Herbert Y. Yamashiro (for Kimberly M. Yamashiro); Leanna S. Yamauchi; Larry A. Yonemura; Marlene H.M. Yong; Marlene H.M. Yong (for Jason K. Yong); Marlene H.M. Yong (for Lancelot M.K. Yong); Mark M. Yoshida; Patrick M. Yoshihara; Patricia Yoshimoto (for Myron T. Yoshimoto); Harvey Y. Yoshioka; Jack F. Yoshishige; Roy I. Yoshizumi; Carolyn Young; Earl S. Young (for Erwin S.T. Young); Earl S. Young (for Michael P. Wooden); Erwin S.T. Young; Erwin S.T. Young (for Earl S. Young); Erwin S.T. Young (for Michael P. Wooden); Tomoyo Yuruki (for Rodney Kondo); Sheryl T. Zukeran,

Plaintiffs,

vs.

Conseco, Inc., Conseco Life Insurance Company; And Doe Defendants 1-100,

Defendants.